



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Edward J. Cheal et al.

Serial No.: 10/605,322

Filed: September 22, 2003

For: Joint Prosthesis and Components
Thereof

Art Unit: 3738

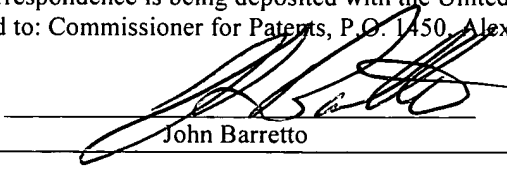
Examiner:

Confirmation No.: 2321

Atty. Docket: APK-001.02

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. 1450, Alexandria, VA 22313-1450 on March 23, 2004.


John Barretto

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The above-referenced application is a continuation of USSN 09/583,805, which was filed on May 30, 2000, which claims priority to 60/136,815, which was filed June 1, 1999, and 60/168,526, which was filed on December 2, 1999. Accordingly, Applicants request that all documents made of record in USSN 09/583,805 be made of record in the above-referenced application. Copies are submitted herewith of Forms PTO 1449 filed December 19, 2000, August 2, 2002 and September 19, 2003.

In accordance with 37 CFR 1.98(d)(2), no copies of the references cited in these Forms PTO 1449 are enclosed herewith, because the Information Disclosure Statements filed in USSN 09/583,805 complied with 37 CFR 1.98 sections (a) through (c).

In addition, a further Form PTO 1449 is filed listing references cited by the Examiner in USSN 09/583,805. Copies of the references are not submitted because they are all U.S. Patent documents.

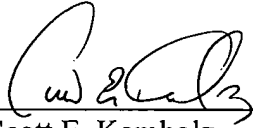
Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the cited documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the cited references be applied against the claims of the present application.

This Information Disclosure Statement is being filed with the application; therefore, no fees are due. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our Deposit Account, No. 06-1448.

Dated: March 23, 2004
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Respectfully submitted,
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Form PTO-1449

INFORMATION DISCLOSURE CITATION

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

APK-001.02

Application Number

10/605,322

Applicant

Cheal, E. et al.

Filing Date

9/22/03

Group Art Unit

3738

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	4,963,155	10/16/90	Lazzeri et al.	623	23	08/30/89
AB	5,002,578	3/26/91	Luman	623	23	05/04/90
AC	5,888,245	3/30/99	Meulink et al.	623	23.35	5/21/97

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages Etc.)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

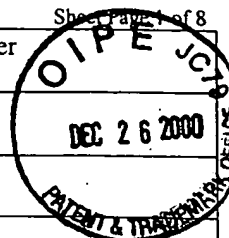
**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

Docket Number (Optional)
APK-001.01 (22697-101)

Application Number
09/583,805

Applicant
Edward J. Cheal and George B. Cipolletti

Filing Date
May 30, 2000

Group Art Unit
3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AS	AA 3,846,846	11/12/74	Fischer	3	1	09/26/73
	AB 4,051,559	10/04/77	Pifferi	3	1.912	09/01/76
	AC 4,520,511	06/04/85	Gianezio et al.	3	1.913	07/30/82
	AD 4,608,055	08/26/86	Morrey et al.	623	23	01/12/84
	AE 4,624,673	11/25/86	Meyer	623	16	08/03/82
	AF 4,676,797	06/30/87	Anapliotis et al.	623	18	11/07/84
	AG 4,693,724	09/15/87	Rhenter et al.	623	23	01/21/86
	AH 4,790,852	12/13/88	Noiles	623	18	09/15/86
	AI 4,846,839	07/11/89	Noiles	623	18	04/08/88
	AJ 4,908,032	03/13/90	Keller	623	18	03/02/88
	AK 4,995,883	02/26/91	Demane et al.	623	23	02/08/89
	AL 5,002,578	03/26/91	Luman	623	23	05/04/90
	AM 5,002,581	03/26/91	Paxson et al.	623	23	11/03/89
	AN 5,035,717	07/30/91	Brooks	623	18	09/26/88
	AO 5,035,712	07/30/91	Hoffman	623	18	06/2/90
	AP 5,080,685	01/14/92	Bolesky et al.	623	23	05/25/90
	AQ 5,108,437	04/28/92	Kenna	623	16	09/14/88
	AR 5,135,529	08/04/92	Paxson et al.	606	85	10/31/90
	AS 5,181,928	01/26/93	Bolesky et al.	623	23	12/13/89
	AT 5,201,882	04/13/93	Paxson	623	23	11/01/90
	AU 5,286,260	02/15/94	Bolesky et al.	623	23	05/29/92
	AV 5,342,366	08/30/94	Whiteside et al.	606	86	02/19/92
	AW 5,370,706	12/06/94	Bolesky et al.	623	18	08/13/93
	AX 5,507,830	04/16/96	DeMane et al.	623	23	09/28/93
	AY 5,549,706	08/27/96	McCarthy	623	23	04/10/95
	AZ 5,653,764	08/05/97	Murphy	623	23	02/17/94
AS	BA 5,653,765	08/05/97	McTighe et al.	623	23	01/03/95

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION***(Use several sheets if necessary)*Docket Number (Optional)
APK-001.01 (22697-101)Application Number
09/583,805Applicant
Edward J. Cheal and George B. CipollettiFiling Date
May 30, 2000Group Art Unit
3738

<i>AS</i>	BB	5,658,349	08/19/97	Brooks et al.	623	23	0107/29/91
<i>AS</i>	BC	5,702,480	12/30/97	Kropf et al.	623	23	04/25/95
<i>AS</i>	BD	5,876,459	03/02/99	Powell	623	18	08/30/96



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Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

Docket Number (Optional)
APK-001.01 (22697-00101)

Application Number
69/583,805

Applicant
Cheal, et al.

Filing Date
May 30, 2000

Group Art Unit
3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AS	AA 4,851,007	July 25, 1989	Gray	623	23	March 18, 1988
↓	AB 6,264,699	July 24, 2001	Noiles et al.	623	23.23	November 23, 1998
↓	AC 6,299,648	October 9, 2001	Doubler et al.	623	23.18	March 17, 2000
AS	AD 6,319,286	November 20, 2001	Fernandez et al.	623	23.18	March 13, 2000

EXAMINER

A. Stewart

DATE CONSIDERED

07/18/02

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE


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PTO/SB/42 (08-03)

Approved for use through 07/31/2008. OMB 0851-0031

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37 CFR 1.501
INFORMATION DISCLOSURE CITATION
IN A PATENT
(Sheet 1 of 1)

Docket Number (Optional)
APK-001.01Application Number
09/583,805

Applicant Cheal, Edward J.

File Date May 30, 2000

Art Unit 3738

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AS	5,108,452	04/28/92	Fallin	623	23	01/31/90
	4,995,883	02/26/91	Demane et al.	623	23	02/08/89
	5,047,033	09/10/91	Fallin	606	87	02/07/90
	5,074,879	12/24/91	Pappas et al.	623	18	10/26/90
	5,030,234	07/09/91	Pappas et al.	623	23	12/12/89
	5,405,394	04/11/95	Davidson	623	18	06/17/93
	5,507,824	04/16/96	Lennox	623	22	02/23/93
	5,601,567	02/11/97	Swajger et al.	606	102	04/03/96
AS	5,658,349	08/19/97	Brooks et al.	623	23	07/29/91

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
AS	0 567 349 A1	10/27/93	EP	A61F	2/30	X	
	0 592 897 A1	4/20/94	EP	A61F	2/30		X
	0 433 121 A1	6/19/91	EP	A61F	2/30	X	
	0 562 782 A2	9/29/93	EP	A61F	2/30	X	
	0 679 375 A1	11/2/95	EP	A61F	2/40		X
	0 612 509 A2	08/31/94	EP	A61F	2/34	X	
	WO 96/00539	01/11/96	PCT	A61F	2/46	X	
AS	WO 93/02641	02/18/93	PCT	A61F	2/30	X	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**RECEIVED**

International Search Report, International Application Ser. No. PCT/US00/15059

SEP 25 2003

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A. Stewart

DATE CONSIDERED

12/02/03

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This collection of information is required by 37 CFR 1.501. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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